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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,906	09/23/2004	Tatsuya Adachi	8861-500US(P33203-02)	8356

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PHILADELPHIA, PA 19103

EXAMINER

TRUJILLO, JAMES K

ART UNIT	PAPER NUMBER
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2116

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/508,906

Applicant(s)

ADACHI, TATSUYA

Examiner

James K. Trujillo

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The office acknowledges the receipt of the following and placed of record in the file:
Preliminary Amendment dated 9/23/04.
2. Claims 1-13 are presented for examination.

Claim Objections

3. Claim 5 is objected to because of the following informalities: Regarding claim 5, on line 2, “,” should be inserted after “following” for purposes of clarity. Other grammatical changes might also be acceptable for purposes of clarity. Appropriate correction is required.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 13 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 13 recites “Program to make the computer execute control methods of peripheral device in accordance with claim 9” and is thus directed toward a program per se. A program per se is non-statutory subject matter.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2116

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 6, 7 and 9-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Jinnouchi, U.S. Patent 6,697,883.

8. Regarding claim 1, Jinnouchi teaches Peripheral device comprising:

- a. a functional unit which carries out a function based on commands from main device (wherein computer 1 is the main device and telephone part 28 is the functional unit, figure 2 and col. 4, lines 28-31);
- b. a power control section which controls power consumption of said functional unit (power control part 24 together with main control part 27, figure 2);
- c. a power profile information memory (within information transmission part 22, figure 2) which memorizes a power profile information list that includes single or plural power profile information (CIS information corresponding to 5V or 3V, col. 3, line 58 through col. 4, line 6); and
- d. an interface section which sends and receives said power profile information and commands relevant to the functional unit to and from said main device (portions of 22, 23 and 24 that communicate with the main device);
- e. wherein said interface section corresponds to the demand from said main device and sends said power profile information list to said main device (information transmission part 22 sends CIS information to information recognition part 12 of the main device); and
- f. said power control section controls power consumption of said functional unit by corresponding to the selected information of said power profile information that was

Art Unit: 2116

received from said main device (operates the functional unit accordingly, col. 6, lines 59-65).

9. Regarding claim 2, Jinnouchi teaches peripheral device comprising:

a. a functional unit which carries out a function based on commands from main device (wherein computer 1 is the main device and telephone part 28 is the functional unit, figure 2 and col. 4, lines 28-31);

b. a power profile register which memorizes power profile information (within information transmission part 22 because it sends CIS information corresponding to 5V or 3V, figure 2 and col. 3, line 58 through col. 4, line 6);

c. a power control section which controls power consumption of said functional unit (power control part 24 together with main control part 27, figure 2);

d. a power profile information memory (within information transmission part 22, figure 2) which memorizes a power profile information list that includes single or plural power profile information (CIS information corresponding to 5V or 3V, col. 3, line 58 through col. 4, line 6); and

e. an interface section which sends and receives said power profile information and commands relevant to the functional unit to and from said main device (portions of 22, 23 and 24 that communicate with the main device);

f. wherein said interface section corresponds to the demand from said main device and sends said power profile information list memorized in said power profile information memory to said main device (information transmission part 22 sends CIS information to information recognition part 12 of the main device), and

Art Unit: 2116

- g. corresponding to the selected information of said power profile information that was received from said main device, stores the corresponding power profile information from said power profile information memory, in said power profile register (the CIS information is sent by the information transmission part and thus has a memory which inherently uses a register of some type, col. 3, line 58 through col. 4, line 6, col. 1, lines 10-20 and col. 1, lines 46-51); and
 - h. said power control section deciphers said power profile information stored in said power profile register and controls power consumption of said functional unit based on said deciphered power profile information (operates the functional unit accordingly, col. 6, lines 59-65).
10. Regarding claim 3, Jinnouchi teaches Peripheral device comprising:
- a. a functional unit which carries out a function based on commands from main device (wherein computer 1 is the main device and telephone part 28 is the functional unit, figure 2 and col. 4, lines 28-31);
 - b. a power profile information memory (within information transmission part 22, figure 2) which memorizes a power profile information list that includes single or plural power profile information (CIS information corresponding to 5V or 3V, col. 3, line 58 through col. 4, line 6);
 - c. an interface section which sends and receives information regarding the range of power profiles which said main device designated or power profiles which said main device allowed or commands relevant to the functional unit to and from said main device (portions of 22, 23 and 24 that communicate with the main device);

Art Unit: 2116

- d. a power profile judgment section (within main control part 27 to determine which CIS to send – the 5V or 3V will be operating voltage, col. 3, line 58 through col. 4, line 6) which extracts said power profile information that is the same or approximate to power profile designated or allowed by said main device from the above-mentioned power profile information list stored in the above-mentioned power profile information memory (the information transmission part 22 send the corresponding CIS, col. 3, line 58 through col. 4, line 6);
- e. a power profile register which memorizes said power profile information (within information transmission part 22 because it sends CIS information corresponding to 5V or 3V, figure 2 and col. 3, line 58 through col. 4, line 6) that is extracted by said power profile judgment section (CIS information corresponding to 5V or 3V, col. 3, line 58 through col. 4, line 6); and
- f. a power control section which controls power consumption of said functional unit (power control part 24 together with main control part 27, figure 2);
- g. wherein said interface section sends information regarding the range of power profile (portions of 22, 23 and 24 that communicate with the main device) which said main device designated or allowed, wherein information is sent from said main device, to said power profile judgment section (within main control part 27 to determine which supply voltage is used, col. 3 line 62-66); and
- h. said power control section deciphers said power profile information stored in said power profile register and controls power consumption of said functional unit based on

said deciphered power profile information (operates the functional unit accordingly, col. 6, lines 59-65).

11. Regarding claim 4, Jinnouchi taught the peripheral device according to claim 3, as described above. Jinnouchi further teaches wherein said power profile judgment section changes said power profile information to be stored in power profile register based on a value of voltage sent from said main device (changing CIS information corresponding to 5V or 3V and operating with CIS information accordingly, col. 3, line 58 through col. 4, line 6).

12. Regarding claim 6, Jinnouchi teaches a main device which demands power profile information to said peripheral device (wherein computer 1 is the main device and telephone part 28 is the functional unit, figure 2 and col. 4, lines 28-31), wherein power profile information includes single or plural power profile information that is information for peripheral device to control power (CIS information corresponding to 5V or 3V, col. 3, line 58 through col. 4, line 6), selects single power profile information which is appropriate for the main device from said power profile information list sent from said peripheral device (information transmission part 22 sends CIS information to information recognition part 12 of the main device), and sends the selected information of selected power profile information to said peripheral device (control part 13 instruction generation of 5V or 3V, col. 4, line 63 through col. 5, line 5).

13. Regarding claim 7, Jinnouchi taught the main device according to claim 6, as described above. Jinnouchi further teaches wherein various said power profile information is determined corresponding to the value of power supply voltage (control part 13 instruction generation of 5V or 3V, col. 4, line 63 through col. 5, line 5).

14. Regarding claims 9-13, Jinnouchi taught the claimed peripheral and main device therefore he also teaches the claimed control methods.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jinnouchi in view of Nakashima, U.S. Patent 6,085,982.

17. Regarding claim 5, Jinnouchi taught the peripheral device according to claim 1, as described above. Jinnouch does not explicitly disclose wherein said power profile information has at least one of the following, maximum output value of a power amplifier, transmission rate of a wireless communication, or in use or not of said functional unit, as its element; and said power control section controls power consumption of said functional unit in regard to said element of said power profile register.

Nakashima teaches wherein a power profile information has at least one of the following, maximum output value of a power amplifier, transmission rate of a wireless communication, or in use or not of said functional unit, as its element; and said power control section controls power consumption of said functional unit in regard to said element of said power profile register (wherein selecting power to be supplied only to a selected function that is being used is interpreted to be in use or not, by sending a selected CIS, col. 5, lines 36-53). Nakashima is in

Art Unit: 2116

the same field of endeavor as that of Jinnouchi in that both are directed toward supplying power to functions in peripheral devices. Nakashima further provide the advantage of reducing the power consumption and making the peripheral more efficient because power is only supplied to those function that are being used (current flowing into the modem is wasted when only the ATA memory is used, col. 1, line 60 through col. 2, line 6).

It would have been obvious to one of ordinary skill in the art, having the teachings of Jinnouchi and Nakashima before them at the time the invention was made to modify the peripheral of Jinnouchi to include power profiles such as those of Nakashima that allow control of power to only those functions that are being used.

One of ordinary skill in the art would have been motivated to make this modification in order to reduce the power consumption and make the peripheral more efficient because power in view of Nakashima.

18. Regarding claim 8, it is rejected for similar reasons as those in the rejection of claim 5.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,279,114 to Toombs et al. teaches an IC card that contains information to allow a host to supply an appropriate voltage.

U.S. Pat. No. 6,971,035 to Kubota teaches an apparatus that receives power from a host device.

U.S. Pat. No. 6,996,731 to Obitsu teaches a system that supplies power to a PC card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James K. Trujillo whose telephone number is (571) 272-3677. The examiner can normally be reached on M-F (8:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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